



**NEWS RELEASE**

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## **Ninth Circuit Bankruptcy Appellate Panel Makes Changes**

**SAN FRANCISCO** – Chief Judge Alex Kozinski of the United States Court of Appeals for the Ninth Circuit has announced the appointment of Chief Bankruptcy Judge Ralph B. Kirscher of Butte, Montana, to the Ninth Circuit Bankruptcy Appellate Panel (BAP), which resolves appeals arising out of bankruptcy court decisions.

Judge Kirscher succeeds Bankruptcy Judge Dennis Montali of the Northern District of California, who will step down from the BAP after 10 years of distinguished service, the last two as its chief judge. Judge Kirscher's appointment is effective May 1, 2010.

Also announced was the selection of Bankruptcy Judge Jim Pappas of the U.S. Bankruptcy Court for the District of Idaho to be the new chief judge of the BAP. Judge Pappas, who has served on the BAP since 2005, was elevated to chief judge on a vote of his colleagues on the panel.

Judge Kirscher, 58, is the only full-time judge sitting on the U.S. Bankruptcy Court for the District of Montana, which handled 2,771 cases in 2009. He was appointed to the bankruptcy bench on November 18, 1999, and has been serving as chief bankruptcy judge since then. The court also relies on recalled Bankruptcy Judge John L. Peterson.

"Judge Kirscher has proven an able and efficient judge and we are very pleased to have him join the BAP," Chief Judge Kozinski observed.

Judge Kirscher chaired the Executive Committee of the Ninth Circuit Conference of Chief Bankruptcy Judges from 2004 to 2007, and served on a number of circuit committees including the Court-Council on Bankruptcy Judge Appointments, the Bankruptcy Judges Education Committee, and the Public Information and Community Outreach Committee.

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A native of Livingston, Mont., Judge Kirscher received a B.A. from the University of Montana at Missoula in 1974; an M.P.A. from American University in Washington, D.C., in 1975; and a J.D. from the University of Montana, School of Law, in 1979. He engaged in private practice in Montana from 1979 to 1999.

Judge Pappas, 58, described serving on the BAP as “one of the true highlights and joys of my judicial career.”

"Following in the footsteps of some terrific former chief judges, leading the BAP's fine group of judges, law clerks and staff will truly be an honor," Judge Pappas said.

Judge Pappas, who maintains chambers in Boise, was appointed to the Idaho bankruptcy court in 1990 and reappointed to a second 14-year term in 2004. He served as the district's chief bankruptcy judge from 1990 to 2004.

Born in Pocatello, Idaho, Judge Pappas received his undergraduate degree from Idaho State University in 1974 and his J.D. from the University of Idaho College of Law in 1977. Following his graduation from law school, he engaged in private practice in Idaho and the Northwest from 1977 to 1990.

The BAP was established in 1979 by the Judicial Council of the Ninth Circuit as an alternative forum for hearing bankruptcy appeals. Since then, it has disposed of more than 15,000 cases, including more than 5,250 decided on the merits.

BAP judges are appointed by the Judicial Council of the Ninth Circuit, governing body for federal courts in the West. They serve a term of seven years and are eligible for a 3-year extension. Other bankruptcy judges from around the circuit also serve on appellate panels on a *pro tem* basis.

The Ninth Circuit was the first federal circuit to establish a bankruptcy appellate panel. Other circuits with bankruptcy appellate panels are the First, Sixth, Eighth and Tenth circuits. For more information, visit: <http://www.ce9.uscourts.gov/bap>.

The BAP is based in the Richard H. Chambers U.S. Courthouse in Pasadena. It received 332 appeals in 2009, about 51 percent of all appeals originating out of bankruptcy courts throughout the Ninth Circuit (district courts hear the remainder of the appeals).

The U.S. Courts for the Ninth Circuit consists of the U.S. Court of Appeals for the Ninth Circuit and the federal district and bankruptcy courts in 15 judicial districts serving nine western states and two Pacific Island jurisdictions.

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